

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**SCOTT E. PAYNE,**

**Petitioner,**

**v.**

**CASE NO. 2:05-cv-00050**

**DAVID BOBBY, Warden,**

**JUDGE SARGUS  
MAGISTRATE JUDGE KING**


**Respondent.**

**OPINION AND ORDER**

On February 27, 2006, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant habeas corpus petition be dismissed. Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**.

**IT IS SO ORDERED.**

 3-23-2006  
EDMUND A. SARGUS, JR.  
United States District Judge